



**Division of Workers'  
Compensation**

# Medical Quality Review Calendar Year 2024 Annual Audit Plan

January 12, 2024

## Section 1: Review Categories

The Annual Plan sets the priorities for the Medical Quality Review Panel (MQRP) audits during the upcoming year. In calendar year 2024, the Texas Department of Insurance, Division of Workers' Compensation (DWC) will conduct one audit/study to evaluate the feasibility and impact of adopting a more current version of the *American Medical Association Guides to Impairment* (AMA Guides). It will be completed with the assistance of the Workers' Compensation Research and Evaluation Group (REG).

In 2004, the Texas Workers' Compensation Commission adopted the AMA Guides, 4th edition for use in the Texas workers' compensation system to determine whole person impairment of injured employees. The 4th edition of the AMA Guides was originally published in 1993, and the American Medical Association has since updated editions of the AMA Guides—a 5th edition in 2001 and a 6th edition in 2008. Regular updates to the 6th edition have followed in 2021, 2022, and 2023, and updates to several musculoskeletal chapters are scheduled in 2024.

DWC is considering using a more current version of the AMA Guides to reflect the significant changes in medicine and evidenced-based medicine and technology that has taken place since the 4th edition was published more than 30 years ago.

## Section 2: General Statement, Overview, and Purpose

Texas Labor Code Section [413.002](#) requires DWC to “monitor health care providers, insurance carriers, independent review organizations, and workers’ compensation claimants who receive medical services to ensure the compliance of those persons with rules adopted by the commissioner relating to health care, including medical policies and fee guidelines.” Labor Code Section 413.002 also states that “in monitoring health care providers who serve as designated doctors under Chapter [408](#) DWC shall evaluate compliance with this subtitle and with rules adopted by the commissioner relating to medical policies, fee guidelines, treatment guidelines, return-to-work guidelines, and impairment ratings.” DWC audits ensure that injured employees in the workers’ compensation system receive medically necessary and appropriate health care that is timely and cost-effective, as well as facilitate functional recovery and appropriate return-to-work outcomes.

DWC will manage the Medical Quality Review Process in a manner that is fair, open, and transparent to all workers’ compensation system participants to the extent consistent with state confidentiality laws.

Under 28 Texas Administrative Code (TAC) Section [180.68](#), the Medical Quality Review Process is a medical case review initiated based on complaints, plan-based audits, or monitoring as a result of a consent order. DWC’s medical advisor oversees the Medical Quality Review Process conducted by the MQRP. The MQRP follows the criteria adopted under Labor Code Section [413.05115](#).

While the medical quality reviews help DWC monitor compliance with the Labor Code and DWC rules, in calendar year 2024, DWC will evaluate the feasibility and impact of adopting a more current version of the AMA Guides. The recommended audit is not to monitor compliance but to evaluate the impact that moving to a newer edition of the AMA Guides may have on the workers' compensation system.

### **Section 3: Scope and Selection Criteria**

For each category in the Audit Plan, the medical advisor and DWC staff will define the scope and selection criteria for a plan-based audit/study. DWC will get input from system participants on the development of each individual plan-based audit proposal in the Audit Plan. Individual plan-based audit proposals will specify relevant steps and include specific procedures for each step, including, but not limited to:

- Inclusion and exclusion criteria.
- Service time frame to be audited.
- Sample size.
- Subject and case file selection.

The basis for determining the medical necessity and appropriateness of health care services is under the Labor Code; 28 TAC Chapter 180, [Subchapter C](#); and the Medical Quality Review Process.

### **Section 4: Conflicts**

The Audit Plan incorporates the approved Medical Quality Review Process. However, if a specific conflict exists between this plan and the Medical Quality Review Process, this plan prevails.

If necessary, the medical advisor may modify the Medical Quality Review Calendar Year 2024 Annual Audit Plan. The commissioner of workers' compensation must approve any recommended changes before adoption.


**Section 5: Approvals**

**Submitted by:**

 1/12/24

Graves Owen, M.D.                      Date  
Medical Advisor  
TDI, Division of Workers' Compensation

**Approved by:**

 1/16/2024

Jeff Nelson                                      Date  
Commissioner  
TDI, Division of Workers' Compensation